

## Remarks

Applicants appreciate the recognition of allowable subject matter in the present application. Applicants submit this response to cancel the rejected claims and to place the application into condition for allowance.

Claims 1-4, 7-20, 22-24 and 26-27 stand rejected under 35 USC 103(a) for obviousness over U.S. Patent Publication No. 2003/0165137 A1 to Soloway in view of U.S. Patent Publication No. 2002/0186658 A1 to Chiu and U.S. Patent No. 7,167,443 to Dantu et al.

Applicants respectfully request reconsideration of the rejections.

Applicants have amended independent claim 12 to include limitations of claims 24 and 25. Claim 12 is believed to be in condition for allowance in consideration of the indicated allowability of claim 25 in the Office Action. Applicants have also made a minor change to the language of claim 24 incorporated into claim 12. More specifically, Applicants have changed the language “and which paths individually comprise a path between an originating source switch and an end destination switch of the packets and which includes a plurality of different switches intermediate the source and destination switches” to “and which paths individually comprise a path between an originating source switch and an end destination switch of the respective packet and which includes a plurality of different switches intermediate the originating source and end destination switches” for clarity.

Applicants respectfully submit that claim 12 incorporating the limitations of previous claims 24 and 25 is allowable in consideration of the indication in the Office Action that claim 25 recites allowable subject matter.

Furthermore, the pending dependent claims are in condition for allowance for the reasons discussed above with respect to the respective independent claims from which they depend as well as for their own respective features which are neither shown nor suggested by the cited art.

Applicants respectfully request allowance of all claims in the next Action.


Applicants also refer to page 2 of the Office Action at paragraph 1 where the Action states that claim 25 is rejected under 103. Such indication appears to be in error in consideration of the Office Action summary and page 10 both indicating that claim 25 is not rejected but to the contrary recites allowable subject matter. Applicants also note no prior art teachings have been identified in the Office Action in support of any prior art rejection of claim 25. Applicants respectfully request a

telephone call to the undersigned if the Office disagrees with this position. Applicants also respectfully request issuance of a new Office Action which sets forth any rejection of claim 25 now incorporated into claim 12 in detail and which resets the period of response if the claims are not considered to be allowable.

Applicants respectfully request allowance of all pending claims.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,  
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By: \_\_\_\_\_

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